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10/696,773	10/30/2003	Renzo Colle	34847-349 / 2003P00636US	7784
64280 7590 08/21/2008 MINTZ, LEVIN, COHN, FERRIS, GLOVSKY & POPEO, P.C. ATTN: PATENT INTAKE CUSTOMER NO. 64280 ONE FINANCIAL CENTER BOSTON, MA 02111				
EXAMINER CARDENAS NAVIA, JAIME F				
ART UNIT 3623		PAPER NUMBER		
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/696,773

**Applicant(s)**

COLLE ET AL.

**Examiner**

Jaime Cardenas-Navia

**Art Unit**

3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 May 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SI/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Introduction***

1. This **FINAL** office action is in response to communications received on May 22, 2008. Claims 1 and 12 have been amended. Claims 14-18 have been added. Claims 1-18 are pending.

### ***Response to Amendment***

2. Applicant's amendments to the claims are **sufficient to overcome the 35 U.S.C. § 101 rejections** set forth in the previous office action.

3. **New grounds of objection** to the claims have been necessitated by amendment and are asserted below.

### ***Claim Objections***

4. **Claim 14 is objected to** because of the following informalities: when describing "a hot list", "different views of open source items" should be changed to "different views of open service items". Appropriate correction is required.

***Response to Arguments***

5. Applicant's arguments have been fully considered by the Examiner. In particular, Applicant argues regarding independent claims 1 and 12 that (1) Bansal fails to teach or suggest an alert display or messages associated with scheduling information displayed using the planning board display, and that (2) Bansal fails to teach or suggest that the alert display is displayed concurrently and adjacent to the planning board display and the task display. Additionally, Applicant argues that (3) Bansal fails to teach or suggest that at least one resource identifier represents a field technician and at least one resource identifier represents a central workshop technician, and that (4) independent claims 1 and 12 and all dependent claims are allowable as a result of arguments (1)-(3). Finally, Applicant argues that (5) Bansal does not teach or suggest the claimed invention of new independent claim 14 and its dependent claims.

**Regarding arguments (1) and (2),** Examiner respectfully disagrees. Bansal clearly teaches an alert display displayed concurrently and adjacent to the planning board display and the task display (Fig. 3A, 3B, items 332 and 334). The pop-up alert displayed when the mouse hovers over a person or task contains messages associated with a constraint other than a resource constraint, such as the due date of the task. It is also concurrent and adjacent to the planning board display and the task display, although Examiner respectfully notes that altering the location of any display in such a GUI is old and well-known in the art, such as having the alert display pop-up in any desired location or permanently affixed into the display.

**Regarding argument (3),** Examiner respectfully disagrees. Bansal's invention clearly teaches assigning workers to tasks at various locations for durations of time (Fig. 2, par. 19). One of these workers being "a central workshop technician" is considered intended use language,

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and does not patentably distinguish the claimed invention from the prior art, as it is still assigning a worker to a task at a location for a duration of time.

**Regarding argument (4)**, Examiner respectfully disagrees as per the response to arguments (1)-(3) above.

**Regarding argument (5)**, Applicant's argument has been fully considered, but is moot in view of new grounds of rejection.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(c) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. **Claims 1-13 are rejected** under 35 U.S.C. 102(e) as being anticipated by Bansal et al. (US 2007/0219842 A1).

**Regarding claim 1**, Bansal teaches a computer program product embodied on computer readable storage media comprising instructions (par. 129) that when executed generates a graphical user interface (Fig. 2) on a display device for using a computer (par. 130, 131) to schedule the performance of service actions (Fig. 2), the graphical user interface comprising:

a planning board display for scheduling information associated with a period of time (Fig. 2), the scheduling information including:

resource identifiers, each resource identifier representing a resource and wherein at least one resource identifier represents a human resource and at least one resource identifier represents a reusable resource (Fig. 2, note human resource names, recommended skills, tools, and parts), and

unavailability indications, each unavailability indication representing that a resource represented by one of the resource identifiers is not available to be scheduled for a portion of the period of time for which the scheduling information is being displayed (Fig. 2); and

an alert display for messages associated with the scheduling information displayed using the planning board display, the alert display being displayed concurrently and adjacent to the planning board display, wherein at least one message includes information associated with a constraint other than a resource constraint (Fig. 2, Fig. 3A, 3B, items 332 and 334. The pop-up alert displayed when the mouse hovers over a person or task contains messages associated with a constraint other than a resource constraint, such as the due date of the task).

**Regarding claim 2**, Bansal teaches wherein at least one resource identifier represents a non-reusable resource (Fig. 2, screws).

**Regarding claim 3**, Bansal teaches wherein an unavailability indication for a first resource includes an indication of an association with a second resource for a particular period of time (Fig. 2, par. 37, the skills, parts, and tools associated with the person that is unavailable because they have been assigned to a task).

**Regarding claim 4**, Bansal teaches wherein the first resource is a human resource, and the second resource is a reusable resource (Fig. 2, par. 37, the skills, parts, and tools associated with the person that is unavailable because they have been assigned to a task is shown).

**Regarding claim 5**, Bansal teaches wherein the interface includes a relationship control operable to allow a user to associate a first resource identifier representing a first resource in the planning board display with a second resource identifier representing a second resource such that the first resource and the second resource are associated for a particular period of time (Fig. 2, filtering by territory, skills, parts, par. 66, user can drag and drop objects into desired time-frames, par. 67), and

the planning board display includes an association indication of the association of the first resource and the second resource for the particular period of time (Fig. 2, filtering by territory, skills, parts).

**Regarding claim 6**, Bansal teaches wherein an unavailability indication for a resource includes an indication of a period of time in which the resource is (1) not available and (2) not assigned to a task item (Fig. 2).

**Regarding claim 7**, Bansal teaches wherein the planning board display comprises a planning board window wherein the display position of the planning board window on a display device is controllable by a user (par. 33, 34).

**Regarding claim 8**, Bansal teaches wherein the planning board display comprises a planning board pane wherein the display position of the planning board pane on a display device is fixed (par. 33, 34).

**Regarding claim 9**, Bansal teaches wherein the interface comprises a task display for task items to be scheduled wherein the task items to be scheduled include at least one task item requiring a human resource and at least one task item requiring a reusable resource (Fig. 2).

**Regarding claim 10**, Bansal teaches wherein the task display comprises a hierarchical task display for showing a hierarchy of task identifiers, each task identifier representing a task item for a service action to be performed (Fig. 2).

**Regarding claim 11**, Bansal teaches wherein the task display comprises a task display capable of displaying different types of task information for task items, wherein a user identifies types of task information to be displayed for the task items (Fig. 2).

**Regarding claim 12**, Bansal teaches a computer program product embodied on computer readable storage media comprising instruction (par. 129) that when executed generates a graphical user interface (Fig. 2) on a display device for using a computer (par. 130, 131) to schedule the performance of service actions that involve activities at multiple locations (Fig. 2), the graphical user interface comprising:

a planning board display for scheduling information associated with a period of time (Fig. 2), the scheduling information including:

resource identifiers, each resource identifier representing a human resource and wherein at least one resource identifier represents a field technician and at least one resource identifier represents a central workshop technician (Fig. 2, par. 37, depending on the technician's skill set, they could either be a field technician or a central workshop technician), and

unavailability indications, each unavailability indication representing at least one of the resources represented by one of the resource identifiers is not available to be scheduled for a portion of the period of time for which the scheduling information is being displayed (Fig. 2);

a task display for showing task identifiers, the task display being displayed concurrently and adjacent to the planning board display, each task identifier representing a task for a service action to be performed at a specified location (Fig. 2, 3A, 3B, par. 19), wherein:

a first task identifier represents a first task item to be performed at a field location (Fig. 2, 3A, 3B, par. 19)

a second task identifier represents a second task item to be performed at a central workshop location that is different from the field location (Fig. 2, 3A, 3B, par. 19), and the first and second task items are to be completed as part of a service action (par. 19, 68, multiple service personnel may be assigned to the same activity, and though they are assigned to the same activity, they are not required to be assigned to the same location); and an alert display for messages associated with the scheduling information displayed using the planning board display, the alert display being displayed concurrently and adjacent to the planning board display and the task display, wherein at least one message includes information associated with a constraint other than a resource constraint (Fig. 2, Fig. 3A, 3B, items 332 and 334. The pop-up alert displayed when the mouse hovers over a person or task contains messages associated with a constraint other than a resource constraint, such as the due date of the task), wherein the field technician is associated with the first task item and the central workshop technician is associated with the second task item (Fig. 2, 3A, 3B, par. 19).

**Regarding claim 13,** Bansal teaches wherein:

the first task item includes a field human resource skill requirement (Fig. 2, par. 7),  
the second task item includes a central workshop human resource skill requirement (Fig. 2, par. 7),  
information associated with the resource identifier representing the field technician includes an indication of a skill possessed by the field technician (Fig. 2, par. 7),  
information associated with the resource identifier representing the central workshop technician includes an indication of a skill possessed by the central workshop technician (Fig. 2, par. 7),

the field technician is associated with the first task item only when the indication of the skill possessed by the field technician matches the field human resource skill requirement of the first task item (Fig. 2, par. 7), and

the central workshop technician is associated with the second task item only when the indication of the skill possessed by the central workshop technician matches the central workshop human resource skill requirement of the second task item (Fig. 2, par. 7).

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. **Claims 14-18 are rejected** under 35 U.S.C. 103(a) as being unpatentable over Bansal (US 2007/0219842 A1) in view of Katiyar et al. (US 5,732,399).

**Regarding claim 14**, Bansal teaches a computer program product embodied on computer readable storage media (par. 129) comprising instructions that when executed generates a graphical user interface on a display device for using a computer to schedule the performance of service actions (Fig. 2, par. 130, 131), the graphical user interface comprising:

a planning board scheduling information associated with a period of time that includes a chart identifying resources for which a user associated with the planning board is responsible (Fig. 2);

controls associated with the planning board, the controls comprising an assignment control to assign an service order item to a resource, a time specification control to identify a time period when a resource is unavailable for reasons other than an assignment, and a relationship control to create a temporary connection between a tool and a human resource (fig. 2);

a work list providing a view of service order items for which the user is responsible (fig. 2, planned activities frame);

a hot list providing a list capable of displaying different views of open service items for which the user is responsible (fig. 2, unplanned activities frame); and

an alert monitor displaying a list of alerts the selection of which causes potential time slots displayed in the planning board that are related to the selected alert to be highlighted (fig. 2, unplanned activities frame, par. 69, selecting an unplanned activity highlights available time slots).

Bansal does not expressly teach a work list providing a hierarchical view of service order items for which the user is responsible;

a hot list providing a non-hierarchical list capable of displaying different views of open service items for which the user is responsible; and

an alert monitor displaying a list of alerts the selection of which causes corresponding assignments displayed in the planning board that are related to the selected alert to be highlighted.

Official notice is given that various methods of displaying information, specifically hierarchical and non-hierarchical views, are old and well-known in the art.

All the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions. The claimed invention is merely a combination of old and well-known elements, and the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Thus, it would have been obvious to combine the teachings, motivated by the teaching in Bansal of both hierarchical (fig. 2, unplanned activities frame) and non-hierarchical (fig. 2, planned activities frame) views of information.

Katiyar teaches an alert monitor displaying an alert containing a list of corresponding assignments (col. 9, lines 62-67, col. 10, lines 1-5).

The inventions of Katiyar and Bansal pertain to managing schedules. All the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, as Katiyar does not teach away from or contradict Bansal, but rather, teaches a function that was not addressed. The claimed invention is merely a combination of old and well-known elements, and the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Thus, it would have been obvious to combine the teachings, motivated by the advantage in avoiding conflicts by alerting the user of all related assignments.

**Regarding claim 15,** Bansal teaches a confirm control that allows the user to eliminate a selected alert such that the alert is not displayed in the graphical user interface and a confirm globally control that allows a user to eliminate a selected alert such that the alert is not displayed in a graphical user interface for the user and for other users (fig. 2, par. 66, it is strongly implied

that when an unplanned activity is entered into the calendar and becomes a planned activity, it is no longer in any user's unplanned activities frame).

**Regarding claim 16**, Bansal teaches wherein the list of alerts is dynamically updated (par. 65).

Bansal does not expressly teach wherein the list of alerts is dynamically updated based on new scheduling choices.

Katiyar teaches wherein the alerts are dynamically updated based on new scheduling choices (col. 9, lines 62-67, col. 10, lines 1-5).

The inventions of Katiyar and Bansal pertain to managing schedules. All the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, as Katiyar does not teach away from or contradict Bansal, but rather, teaches a function that was not addressed. The claimed invention is merely a combination of old and well-known elements, and the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Thus, it would have been obvious to combine the teachings, motivated by the advantage in scheduling accuracy by keeping the alerts as updated as possible.

**Regarding claim 17**, Bansal does not expressly teach wherein the scheduling choices comprise one or more of assignments, time specifications, and relationships.

Katiyar teaches wherein the scheduling choices comprise one or more of assignments, time specifications, and relationships (col. 9, lines 62-67, col. 10, lines 1-5).

The inventions of Katiyar and Bansal pertain to managing schedules. All the claimed elements were known in the prior art and one skilled in the art could have combined the elements

as claimed by known methods with no change in their respective functions, as Katiyar does not teach away from or contradict Bansal, but rather, teaches a function that was not addressed. The claimed invention is merely a combination of old and well-known elements, and the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Thus, it would have been obvious to combine the teachings, motivated by the advantage in scheduling accuracy by keeping the alerts as updated as possible.

**Regarding claim 18**, Bansal teaches wherein each alert in the list identifies a category to which the alert is associated and includes a message number and an alert description (fig. 2, unplanned activities frame, category is "Pending Field Engineer Activities", number is "FEA-235235", alert description is "Repair HD on-site").

***Conclusion***

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jaime Cardenas-Navia whose telephone number is (571)270-1525. The examiner can normally be reached on Mon-Thur, 9:30AM - 8:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Beth Van Doren can be reached on (571) 272-6737. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

August 18, 2008

/J. C./  
Examiner, Art Unit 3623  
/Jonathan G. Sterrett/  
Primary Examiner, Art Unit 3623